

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

JOE LEE MCGIRT et al.,

Plaintiffs

v.

**ROYAL INSURANCE COMPANY
OF AMERICA et al.,**

Defendants.

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Case No. RWT 02cv3455

ORDER

Upon consideration of the Motion for Summary Judgment filed by Defendant, Gulf Insurance Company, the Motion for Summary Judgment filed by the Defendant, Royal Insurance Company of America, the Motion for Summary Judgment filed by the Plaintiffs, Joe Lee McGirt and Dat Tan Le, the Motion for Summary Judgment on Issues of Attorney's Fees and Duty to Defend filed by the Plaintiff, Joe Lee McGirt, the Consent Motion for Leave to File Reply Memorandum in Support of Royal Insurance Company of America's Motion for Summary Judgment, and the Motion for Leave to File Recent Authority from the U.S. District Court for the Western District of Michigan on Issues Before This Court Relating to Gulf Insurance Company filed by Defendant, Gulf Insurance Company, the Oppositions thereto, and the argument of counsel heard in open court on September 12, 2005, it is, for the reasons set forth in the accompanying Memorandum Opinion, this 8th day of November, 2005, by the United States District Court for the District of Maryland,

ORDERED, that the Motion for Summary Judgment filed by the Defendant, Gulf Insurance Company, (Paper No. 35) is hereby DENIED; and it is further

ORDERED, that the Motion for Summary Judgment filed by the Defendant, Royal Insurance Company of America, (Paper No. 37) is hereby DENIED; and it is further

ORDERED, that the Motion for Summary Judgment filed by the Plaintiffs, Joe Lee McGirt and Dat Tan Le, (Paper No. 38) is hereby GRANTED; and it is further

ORDERED, that the Motion for Summary Judgment on Issues of Attorney's Fees and Duty to Defend filed by the Plaintiff, Joe Lee McGirt, (Paper No. 39) is hereby DENIED; and it is further

ORDERED, that the Consent Motion for Leave to File Reply Memorandum in Support of Royal Insurance Company of America's Motion for Summary Judgment (Paper No. 50) is hereby GRANTED; and it is further

ORDERED, that the Motion for Leave to File Recent Authority from the U.S. District Court for the Western District of Michigan on Issues Before This Court Relating to Gulf Insurance Company filed by Defendant, Gulf Insurance Company (Paper No. 53) is hereby GRANTED; and it is further

ADJUDGED AND DECLARED that the rights and obligations of the parties shall be as set forth in the accompanying Memorandum Opinion; and it is further

ORDERED, that the Clerk of this Court is directed to CLOSE this case.

/s/
ROGER W. TITUS
UNITED STATES DISTRICT JUDGE